



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

HD:hd
Docket No: 06678-00
25 October 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: LT [REDACTED] DC, USN [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 14 Sep 00 w/attachments
(2) BUMED ltr dtd 29 Sep 00
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by changing his date of rank and lineal position to reflect his prior service. He specifically requested changing his date of rank from 20 June 1995 to 7 May 1995.
2. The Board, consisting of Ms. Hare and Schnittman and Mr. Ensley, reviewed Petitioner's allegations of error and injustice on 19 October 2000, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
 - b. In correspondence attached as enclosure (2), the Bureau of Medicine and Surgery office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

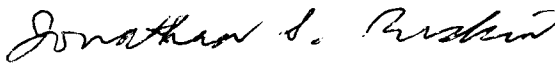
a. That Petitioner's naval record be corrected, where appropriate, to show the date of rank on his commission as a lieutenant, Dental Corps, U. S. Naval Reserve as 7 May 1995, rather than 20 June 1995; and that his lineal precedence be adjusted accordingly.

b. That any material or entries inconsistent with the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

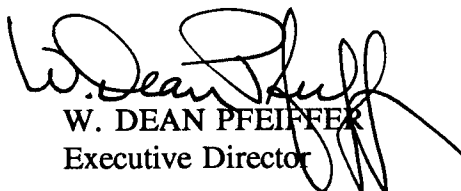
c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
BUREAU OF MEDICINE AND SURGERY
2300 E STREET NW
WASHINGTON DC 20372-5300

66-78-06
IN REPLY REFER TO

1120
Ser 52/00-5984
29 Sep 00

From: Chief, Bureau of Medicine and Surgery
To: Board for Correction of Naval Records

Subj: ADVISORY OPINION ICO LT [REDACTED], DC, USNR,
[REDACTED]

Ref: (a) PHONCON BUMED (MED-52) CD [REDACTED] of
14 Sep 00
(b) Statement of Service for [REDACTED] of 11 Jun 96
(c) SECNAVINST 1120.13A

Encl: (1) BCNR Application ICO [REDACTED]

1. Enclosure (1) is forwarded recommending adjustment of Lieutenant [REDACTED] lieutenant date of rank (DOR) to 7 May 1995.

2. I spoke with Lieutenant [REDACTED] reference (a), about his request for a change in his DOR for lieutenant. This advisory opinion is forwarded in parallel to his submission of DD 149 to expedite resolution.

3. References (a) and (b) present the following about Lieutenant [REDACTED]

a. Graduated from the Naval Academy on 22 May 1985.

b. Served on active duty as a line officer from 22 May 1985 until 7 July 1993.

c. Served in the Reserve Component from July 1993 until July 1996 with annual training periods as listed in reference (b).

d. Entered dental school as an ENSIGN under a Health Professions Scholarship Program in July 1996.

e. Graduated on 20 June 1999.

4. Per reference (c), Lieutenant [REDACTED] should be credited with 4 years, 1 month, 13 days of entry grade credit reflecting his 8 years, 2 months, 26 days on active duty as a commissioned line officer in the Navy. His DOR for lieutenant should be 7 May 1995.

NOV - 4 2000

Subj: ADVISORY OPINION ICO L [REDACTED] E, DC, USNR,
[REDACTED]

5. Your point of contact is Commander [REDACTED] N,
who may be reached at [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
By direction